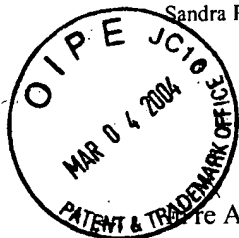


**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 24, 2004

Sandra Puljic  
Sandra Puljic



**PATENT**

**Attorney Docket No. 39739-0028 A**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Application

Inventor(s): Zhihe Li, et al.

Application No.: 10/626,004

Filed: July 23, 2003

Title Methods For Improvements of Lung Function  
Using TGF- $\beta$  Inhibitors

**PATENT APPLICATION**

Art Unit: Not Assigned

Examiner: Not Assigned

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, can be found attached, according to 35 U.S.C. 120, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

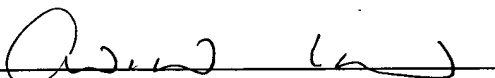
This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

- ☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)  
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --
- ☒ (3) It is being filed before the mail date of the first Office Action on the merits  
-- OR --
- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided below; or
- ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of \$0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 08-1641 (Docket No. 39739-0028 A).

Respectfully submitted,

HELLER EHRMAN WHITE & MCAULIFFE LLP

Dated: February 24, 2004

By:   
Ginger R. Dreger, Reg. No. 33,055

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<b>INFORMATION DISCLOSURE CITATION</b> <b>PTO-1449</b>		ATTY. DOCKET NO.		SERIAL NO.			
		39739-0028 A		10/626,004			
		APPLICANT Zhihe Li					
		FILING DATE 07/23/2003		GROUP Not Assigned			
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
<b>FOREIGN PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 00/61576	10/19/2000	PCT	C07D	401/04	<input type="checkbox"/>	<input type="checkbox"/>
	WO 02/40468	05/23/2002	PCT	C07D	401/04		
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
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	Roberts, et al., "The Transforming Growth Factor- $\beta$ s," Handbook of Experimental Pharmacology, Vol. 95, pp. 419-458, 1990.						
	Whitman, "Smads and early developmental signaling by the TGF $\beta$ superfamily", Genes & Development, Vol. 12, pp. 2445-2462, 1998.						
EXAMINER			DATE CONSIDERED				

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.